

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

<b>Case No.</b>	2:24-cv-03608-ODW (SSCx)	<b>Date</b>	February 28, 2025
<b>Title</b>	<i>Juan Valencia v. Mirage Autobody Inc. et al.</i>		

<b>Present: The Honorable</b>	Otis D. Wright II, United States District Judge
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Sheila English	Not reported	N/A
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Deputy Clerk	Court Reporter / Recorder	Tape No.
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Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not present

Not present

**Proceedings (In Chambers):**

On August 2, 2024, the Court issued an Order Regarding Prosecution of Certain Cases Under the Americans With Disabilities Act. (ECF No. 19.) Among other things, the Order requires Plaintiff to file a motion for default judgment “within 10 calendar days of the last entry of default” “[i]f only defaulted defendants remain in the case.” (*Id.* at 2.) The Order cautions that “failure to comply with this Order in a particular case will result in a sanction of \$300 . . . and dismissal for lack of prosecution.” (*Id.*) Plaintiff brought this suit against Defendants Mirage Autobody Inc. (“Mirage”) and Herman Istrin. (Compl., ECF No. 1.) On July 17, 2024, after Mirage failed to respond to the Complaint, the Clerk entered default as to Mirage. (Default by Clerk, ECF No. 11.) On September 4, 2024, Plaintiff dismissed Istrin from the case. (Notice Dismissal, ECF No. 21.) Therefore, per the Court’s order, Plaintiff should have filed a motion for default judgment no later than September 16, 2024. More than five months have passed and Plaintiff has not filed a motion for default judgment.

Therefore, the Court hereby **DISMISSES** this case without prejudice for lack of prosecution. All dates and deadlines are **VACATED**. The Clerk of the Court shall close this case.

**IT IS SO ORDERED.**

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